

Property Standards FAQ's

What is a Property Standards Committee?

At the beginning of each term of Council, advisory committees are appointed under the authority of Section 15.1 of the *Building Code Act*, 1992, S.O. 1992, c.23. The **Property Standards Committee** is one of them. It is a **quasi-judicial tribunal** that hears appeals made to a Property Standards Order that was issued by a Property Standards Officer of the City of Vaughan (the "City"). The Committee has authority to confirm, modify or rescind a Property Standards Order, or to extend the time for complying. These hearings are governed by the *Statutory Powers and Procedures Act*, R.S.O. 1990, c.S.22.

When a Property Standards Order to Remedy a Violation is issued, the *Building Code Act* allows for property owners or occupants to appeal the order by sending a notice of appeal and a cheque to the Committee Administrator within 14 days. If there is no appeal within the prescribed time, the matter is heard before the Provincial Offences Court. However, if the property owner/occupant chooses to appeal that order within the 14-day period, it is heard before the Property Standards Committee.

The By-Law that regulates Property Standards is [By-Law 231-2011](#).

1. What Should I Do If I receive a Property Standards Order?

If you have any questions regarding the Order, you've received and what is required of you, please contact the Enforcement Officer at the extension or e-mail provided on the Order, and they will be able to walk you through the items on the Order, remedial action and time to comply.

2. What is the role of the Committee members?

The Property Standards Committee shall:

- Hear, in accordance with the *Statutory Powers Procedures Act*, appeals relating to Property Standards Orders issued by a City Property Standards Officer.
- Make decisions to confirm, modify, rescind or to extend the time for complying with the Property Standards Order as per section 3.1 of the *Building Code Act*

3. What is the role of the Committee Administrator?

- Notifies the Appellant by e-mail, mail or fax, of the date, time and place of the Hearing.
- Provides a copy of the Committee's Decision to all parties, by e-mail, mail or fax, within seven (7) days of the Hearing.
- Liaises between City officials and Committee members.

- Prepares the agenda and minutes of Property Standards Committee meetings.

4. What is the role of the Property Standards Officer?

- Is the person who issued the Property Standards Order under appeal.
- Acts as a City witness at the appeal hearing and is accompanied by the City's Legal Representative.

5. What is the role of the City's Legal Representative?

- Represents the City at appeal hearings.
- Assists the Property Standards Officer through examination questions.
- Enters evidence through the Property Standards Officer and conducts cross-examination of the appellant.

6. Can I present evidence at a Hearing?

- If you wish to present evidence during your Hearing you must provide your evidence to the Committee Administrator at least three business days prior to the date of the hearing. If you fail to provide the Committee Administrator with your evidence, you may not be permitted to rely on it during the hearing.

7. Can I appoint a representative to appear on my behalf during the Hearing?

- Yes, if you would like to be represented by an agent or counsel you must notify the Secretary, Property Standards Committee, City Clerk's Office at least three business days prior to the date of the Hearing.

8. Is attendance at the Hearing by me or my Representative mandatory?

- Attendance at the Hearing is mandatory by you or your appointed agent or counsel.
- If you are unable to attend your Hearing, you or your representative must attend to request an adjournment. Failure by you or your appointed representative to attend will result in your appeal being dismissed.

9. What Can I Expect at the Hearing?

- City's Legal Representative will enter evidence through a witness(es) who is first sworn under oath. The Appellant is then given the opportunity to cross-examine this witness(es).

- A copy of any documentary evidence entered in during oral testimony should be provided to the appellant, as well as to the Committee, if requested.
- As above, the Appellant will also be sworn under oath and have an opportunity to present evidence with the same right of cross-examination.
- The Appellant has the right to call witnesses who are either sworn under oath or affirmed. The City's Legal Representative is given the opportunity to cross-examine the witness. The Appellant is given the opportunity to re-examine the witness on any point raised in the cross-examination.
- The Committee Administrator will keep all evidence and as numbered and presented for the record.
- After examination, cross-examination and re-examination (if any), members of the Committee have the right to ask supplementary questions of the witnesses. Each member of the Committee must ensure they have total comprehension of the evidence as presented.
- The Committee will go into closed session to discuss and reach a decision.
- Upon reaching a decision the Committee will reconvene into open session and the Chair of the Committee will advise of the decision.
- Public participation is not permitted during appeal hearings unless the person has been previously identified as a witness through the Committee Administrator.

10. What if I'm unhappy with the result of this hearing?

- Pursuant to Section 15.3(4) of the *Building Code Act*, an owner or occupant may appeal to the Superior Court of Justice by notifying the City Clerk in writing and applying to the Court within 14 days after a copy of the decision is sent. For more information or guidance on this right of appeal, you will need to seek independent legal advice.